

JC985 U.S. PTO
08/23/01Please type a plus sign (+) inside this +08-24-01PTO/SB/19 (8-96)
Approved for use through 9/30/98. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**NEW PLANT PATENT
APPLICATION TRANSMITTAL**

(to be used for new applications only)

Attorney Docket Number

W-3908

First Named Inventor

ANGEL A. GARGIULO

Total Pages in this Submission

66**APPLICATION ELEMENTS**

Notice: Checklist items mentioned under Application Elements section construct a new plant patent application. Please refer to MPEP Sections 506, 601, 1600 (37 CFR 1.53, 35 USC 111, 112, 113) for detailed explanation regarding completeness of an original plant application.

1. Fee Transmittal Form (prescribed filing fee(s))
2. Specification
 - Title of the Invention (with Plant's name)
 - Cross References to Related Applications (if applicable)
 - Statement Regarding Federally-sponsored Research/Development (if applicable)
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings
 - Detailed Botanical Description
 - Claim
 - Abstract of the Disclosure
3. Drawing(s) in duplicate (as prescribed by 35 USC 165)
4. Executed Declaration
5. Plant Color Coding Sheet

ACCOMPANYING APPLICATION PARTS

6. Assignment Papers
7. Certified Copy of Priority Document(s) (if foreign priority is claimed)
8. English Translation Document (if applicable)
9. Information Disclosure Statement/PTO-1449 Copies of IDS Citations
10. Petition Checklist and Accompanying Petition
11. Preliminary Amendment
12. Proprietary Information
13. Return Receipt Postcard
14. Small Entity Statement
15. Additional Enclosures (please identify below):

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name

RODNEY K. WORREL, WORREL & WORREL

Signature

Date

August 22, 2001**FOR OFFICIAL USE ONLY**

Application Number			Class			Independent Claims
Date of Receipt	Application Type		GAU		Total Claims	
	Filing Date		Foreign Filing License?		Drawing Sheets	
	Small Entity		Foreign Address?		Special Handling?	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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FEE TRANSMITTAL

TOTAL AMOUNT OF PAYMENT (\$ 280.00)

Complete if Known

Application Number	
Filing Date	
First Named Inventor	ANGEL A. GARGIULO
Group Art Unit	
Examiner Name	
Attorney Docket Number	W-3908

METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number
23-3185

Deposit Account Name
WORREL & WORREL

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 Charge the Issue Fee Set in 37 CFR 1.18 at the Mailing of the Notice of Allowance, 37 CFR 1.311(b)

2. Payment Enclosed:

Check Money Order Other

FEE CALCULATION (fees effective 10/01/96)

1. FILING FEE

Large Entity Small Entity

Fee Code (\$)	Fee (\$)	Fee Code (\$)	Fee Description	Fee Paid
101	770	201	385 Utility filing fee	
106	320	206	160 Design filing fee	
107	530	207	265 Plant filing fee	240.
108	770	208	385 Reissue filing fee	
114	150	214	75 Provisional filing fee	

SUBTOTAL (1) (\$ 240.)

2. CLAIMS

Total Claims	Extra	Fee from below	Fee Paid
1	-20 =	0	X = 0
Independent Claims	0	- 3 =	0 X = 0
Multiple Dependent Claims	0	X =	0

Large Entity Small Entity

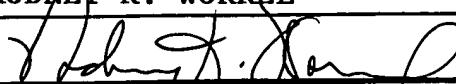
Fee Code (\$)	Fee (\$)	Fee Code (\$)	Fee Description
103	22	203	11 Claims in excess of 20
102	80	202	40 Independent claims in excess of 3
104	260	204	130 Multiple dependent claim
109	80	209	40 Reissue independent claims over original patent
110	22	210	11 Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0)

SUBTOTAL (3) (\$ 40.)

* Reduced by Basic Filing Fee Paid

SUBMITTED BY

Typed or Printed Name	RODNEY K. WORREL			Complete (if applicable)
Signature				Reg. Number 27,475
Date	8/22/01			Deposit Account User ID 23-3185

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Express Mail Label No. EM440646734US

Attorney's Docket No. W-3908**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**In re application of: **ANGEL A. GARGIULO**

Serial No.: _____ Group No.: _____

Filed: _____ Examiner: _____

For: **GRAPEVINE "90-3437"**

**Commissioner of Patents and Trademarks
Washington, D.C. 20231**

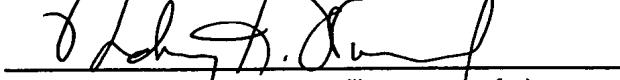
EXPRESS MAIL CERTIFICATE"Express Mail" label number EM440646734USDate of Deposit August 22, 2001

I hereby certify that the following attached paper or fee

Fee Transmittal Form; check for filing fee \$240.00; New Plant Patent Application Transmittal; Specification [Title of the Invention, Cross References to Related Applications, Statement regarding Federally-sponsored Research/Development, Background of the Invention, Brief Summary of the Invention, Brief Description of the Drawings, Detailed Botanical Description, Claim, Abstract of the Disclosure]; Photographs in duplicate; Plant Patent Application Declaration; Plant Color Coding Sheet; check for recording fee \$40.00; Recordation Form Cover Sheet; Assignment; Submission of Verified Statements; (2) Verified Statements; Information Disclosure Statement; return card; and copy is being deposited with the United States Postal Service "Express Mail Post Office to of Spec-Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to fication. the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Rodney K. Worrel

(typed or printed name of person mailing paper or fee)



(Signature of person mailing paper or fee)

NOTE: Each paper must have its own certificate and the "Express Mail" label number as a part thereof or attached thereto. When, as here, the certification is presented on a separate sheet, that sheet must (1) be signed and (2) fully identify and be securely attached to the paper or fee it accompanies. Identification should include the serial number and filing date of the application as well as the type of paper being filed, e.g. complete application, specification and drawings, responses to rejection or refusal, notice of appeal, etc. If the serial number of the application is not known, the identification should include at least the name of the inventor(s) and the title of the invention.

NOTE: The label number need not be placed on each page. It should, however, be placed on the first page of each separate document, such as, a new application, amendment, assignment, and transmittal letter for a fee, along with the certificate of mailing by "Express Mail." Although the label number may be on checks, such a practice is not required. In order not to deface formal drawings it is suggested that the label number be placed on the back of each formal drawing or the drawings be accompanied by a set of informal drawings on which the label number is placed.



ACTUACION NOTARIAL



GALIZADO

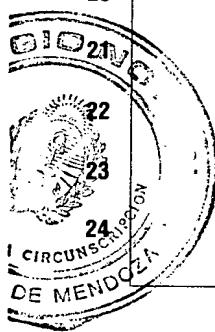
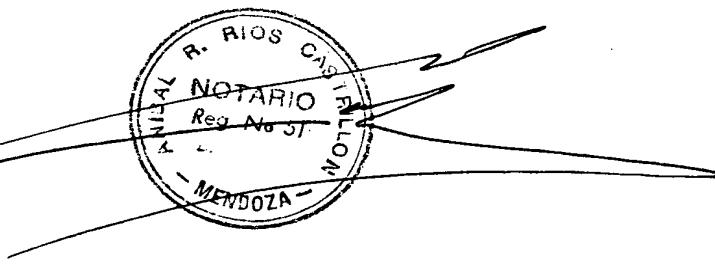
onde a la Legalización

4944

O NOTARIAL 2da. 11

1 Asto.: **CERTIFICACIÓN DE FIRMA**2 Ref.: **ANGEL ANTONIO GARGIULO**3 Obj.: **PRESENTAR ANTE QUIEN CORRESPONDA**

*******CERTIFICO**, en mi calidad de Doctor en Derecho y
 Notario Público Nacional, Titular del Registro Número cincuenta y uno, con domicilio en calle Almafuerte 60,
 primer piso de esta Ciudad, que la firma inserta en el legajo adjunto, constante de 15(quince) fojas útiles,
 pertenece al señor **ÁNGEL ANTONIO GARGIULO**, argentino, D.N.I.Nº 6.842.804, casado en segundas
 nupcias con la señora Patricia Margarita GRANT, domiciliado en Calle Servando Butti Nº77, de esta ciudad,
 de conformidad al requerimiento formulado por el nombrado, mediante acta número 333, fojas 333, del Libro
 5, de Requerimientos para Certificaciones de firmas, a mi cargo.- A solicitud de la parte interesada y para su
 presentación ante quien corresponda, expido la presente certificación, en la Ciudad de San Rafael, Provincia
 de Mendoza, República Argentina, a VEINTISEIS días del mes de JULIO del año dos mil uno.-



IVI



LEGALIZACIÓN



LEGALIZADO

(\$ 12.00)

Ende a la Legalización

4944

NOTARIAL 2da. CIRCUNSCRIPCION

EL COLEGIO NOTARIAL de Mendoza, República Argentina, en
 virtud de las facultades que le acuerdan las Leyes vigentes, LEGALIZA la
 firma y el sello del Notario .ANIBAL R. RIOS CASTRILLON.....
obrantes en el documento anexo, presentado
 en el día de la fecha bajo el N° .00784.157..... Serie ..H..

La presente legalización no juzga sobre el contenido y forma del
 documento.-

Mendoza, San Rafael, 27 de Julio de 2001

Not. STELLA MOYA de MORBIDELLI
 SECRETARIA-2da. CIRCUNSCRIPCION



IVI

Nº 00784152

SERIE H



G A L I Z A D O

Dónde a la Legalización

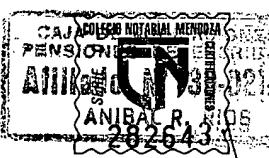
1 4 9 4 6

NOTARIAL 2da. CIRC.

M A C T U A C I Ó N N O T A R I A L



- 1 Asto.: CERTIFICACIÓN DE FIRMA
- 2 Ref.: ANGEL ANTONIO GARGIULO
- 3 Obj.: PRESENTAR ANTE QUIEN CORRESPONDA
- 4 *****CERTIFICO en mi calidad de Doctor en Derecho y
- 5 Notario Público Nacional, Titular del Registro Número cincuenta y uno, con domicilio en calle Almalfuente 60,
- 6 primer piso de esta Ciudad, que la firma inserta en el legajo adjunto, constante de 2(dos) fojas útiles, pertenece
- 7 al señor ÁNGEL ANTONIO GARGIULO, argentino, D.N.I. N° 6.842.804, casado en segundas nupcias con la
- 8 señora Patricia Margarita GRANT, domiciliado en Calle Servando Butti N°77, de esta ciudad, de conformidad
- 9 al requerimiento formulado por el nombrado, mediante acta número 333, fojas 333, del Libro 5, de
- 10 Requerimientos para Certificaciones de firmas, a mi cargo.- A solicitud de la parte interesada y para su
- 11 presentación ante quien corresponda, expido la presente certificación, en la Ciudad de San Rafael, Provincia
- 12 de Mendoza, República Argentina, a VEINTISEIS días del mes de JULIO del año dos mil uno.-
- 13
- 14 R. RIOS C. A. G. S.
15 R. NOTARIO
16 Reg. N° 51
17 NOTARIAL
18 - MENDOZA



Please type a plus sign (+) inside this box →

PTO/SB/20 (8-96)

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PLANT COLOR CODING SHEET <i>(to be used for new applications only)</i>				Attorney Docket Number	W-3908
				First Named Inventor	ANGEL A. GARGIULO
				FOR OFFICIAL USE ONLY	
				Date of Receipt	
Sheet	1	of	2	Application Number	

PLEASE LIST THE ITEM TO WHICH COLOR IS A DISTINGUISHING FEATURE, THE COLOR CODE WHICH BEST REPRESENTS THAT PLANT STRUCTURE AND THE COLOR CODE SYSTEM.

ITEM	COLOR
TRUNK	Dark grey (15-A-6 Beaver Grey) to a lighter grey-brown (14-B-6 Camel's Hair)
CANES- One year or older wood	Chamois tan (11-E-5 Raffia) to a darker tan-brown (13-D-7 Oakbuff)
TENDRILS- Immature	Bronze-green (12-L-3 Pyrite Yellow)
GROWING TIPS-expanding shoot tip	bright green-yellow (18-L-2 Citronelle)
LEAVES-Upwardly disposed surface	Dark green (22-K-4) to a slightly darker green (23-C-6)
Downwardly disposed surface	Lighter grey-green (21-I-5) to a darker grey-green (21-H-6)
Leaf Vein	Pale green (17-G-4)
Petiole	Pale green (17-G-5) to a pale green-yellow (17-D-3)
FLORAL- Petiole	Medium green (19-K-6 Sea Foam)
Calyptro	Lighter green (19-K-4)

COLOR CODE SYSTEM: Dictionary of Color, Maerz & Paul, 1st Ed., 1930

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PLANT COLOR CODING SHEET <i>(to be used for new applications only)</i>				Attorney Docket Number	W-3908
Sheet	2	of	2	First Named Inventor	ANGEL A. GARGIULO
				FOR OFFICIAL USE ONLY	
				Date of Receipt	
				Application Number	

PLEASE LIST THE ITEM TO WHICH COLOR IS A DISTINGUISHING FEATURE, THE COLOR CODE WHICH BEST REPRESENTS THAT PLANT STRUCTURE AND THE COLOR CODE SYSTEM.

ITEM	COLOR
FRUIT- Peduncle	Medium green-brown (14-K-1)
BERRY- Skin	Bright purple-red (6-G-4) to a slightly darker (6-J-4)
Ground	Very pale yellow with a slight greenish tint (11-K-1)
Pedicel	Greenish-brown (14-K-3) Serpentine Green)
FLESH	Light rose (3-E-2) to a darker rose (3-H-2)
Juice	clear

COLOR CODE SYSTEM: Dictionary of Color, Maerz & Paul, 1st Ed., 1930

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